REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for courtesies extended during the Examiner Interview conducted on February 17, 2006.

Disposition of Claims

Claims 1-17, 19, and 21-33 are currently pending in this application. Claims 1, 19, and 21 are independent. The remaining claims depend, directly or indirectly, from independent claims 1 and 21.

Rejections under 35 U.S.C. § 103

Claims 1-7, 12, 17, 19, 21-25, 28, and 33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,987,518 ("Gotwald") in view of U.S. Patent No. 6,507,953 ("Horlander"). This rejection is respectfully traversed.

The claimed invention relates to assigning addresses in a hybrid broadcast/ telecommunication system that includes a central transmission station and a decoder that allows the broadcast system to include internet data. More specifically, the method of assigning a medium access control (MAC) address to the decoder in the digital broadcast system is as follows. Initially, a MAC address request is sent from the decoder to the central transmission station. The MAC address request includes a fixed IP address used to identify the user of the digital broadcast system. Thus, the decoder is able to send the central transmission station an IP address, which is normally a unique network level address assigned by a network manager, to the central transmission station (*see* Specification, page 20, line 32 to page 21, line 2). Further, the MAC address request includes a type of service requested by the user (*i.e.,* unicast service,

multicast service, or unicast non-connected) (*see* Specification, page 21, lines 8-10). Subsequently, in response to the MAC address request, the *central transmission station dynamically assigns a MAC address*, where the MAC address is assigned by the central transmission station based on the type of service requested by the user. Thus, in the present invention, the MAC address is dynamically assigned by an external entity, and is not "figured out" by the hardware device itself.

To establish a *prima facie* case of obviousness "...the prior art reference (or references when combined) must teach or suggest all the claim limitations." (*See* MPEP §2143.03). Further, "all words in a claim must be considered in judging the patentability of that claim against the prior art." (*See* MPEP §2143.03). The Applicant respectfully asserts that the references, when combined, fail to teach or suggest all the claim limitations of amended independent claim 1.

In particular, the Examiner admits that Gotwald fails to disclose or suggest an encapsulated section includes a MAC address and dynamically assigning a MAC address by a central transmission station and communicated to a decoder (*see* Office Action mailed December 29, 2005, page 3). Further, Horlander fails to supply that which Gotwald lacks.

As discussed during the Examiner Interview, the cited portions of Horlander disclose that a DSS3 device obtains its MAC address either dynamically or statically. In the dynamic implementation, the DSS3 device determines its own MAC address by asking other home devices (*i.e.,* other electronic devices in the same house that may have a MAC address assigned to them) for their system addresses. In this manner, the DSS3 device determines its own MAC address by choosing an address that is not already in use by the other devices in the home (*see* Horlander, col. 31, ll. 46-49). Horlander is completely silent with respect to an external central

entity, such as the central transmission station recited in the independent claims of the present invention, which includes functionality to dynamically *assign* a MAC address to a device in the home. In fact, Horlander discloses that a device "figures out" its own MAC address based on other devices' MAC addresses. As agreed to by the Examiner during the Examiner Interview of February 17, 2006, the procedure disclosed in Horlander is clearly distinct from the present invention in which a central entity dynamically *assigns* a MAC address to a decoder in response to the MAC address request that is sent to the central entity.

In view of the above, it is clear that independent claims 1, 19, and 21 are patentable over Gotwald and Horlander, whether considered separately or in combination. Dependent claims 2-7, 12, 17, 22-25, 28, and 33 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 8-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gotwald in view of Horlander and further in view of U.S. Patent No. 6,459,427 ("Mao"). This rejection is respectfully traversed.

As described above, neither Gotwald nor Horlander disclose the limitations of amended independent claim 1. Further, Mao fails to supply that which Gotwald and Horlander lack, as evidenced by the fact that the Examiner relies on Mao solely for the purpose of disclosing an address request message that includes an indication of whether the decoder wishes to receive messages in one of a unicast and a multicast mode (*see* Office Action mailed December 29, 2005, page 8). Thus, it is clear that claim 1 is patentable over Gotwald, Horlander, and Mao, whether considered separately or in combination. Claims 8-10, which depend from claim 1, is patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Gotwald in view of Horlander and further in view of PCT/FI96/00640 ("Hakulinen"). This rejection is respectfully traversed.

As described above, neither Gotwald nor Horlander disclose the limitations of amended independent claim 1. Further, Hakulinen fails to supply that which Gotwald and Horlander lack, as evidenced by the fact that the Examiner relies on Hakulinen solely for the purpose of disclosing an address request message that includes a indication of whether the decoder will remain connected to receive data via a telecommunications network after the communication of the address request message (*see* Office Action mailed December 29, 2005, page 9). Thus, it is clear that claim 1 is patentable over Gotwald, Horlander, and Hakulinen, whether considered separately or in combination. Claim 11, which is dependent on claim 1, is patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 13, 14, 29, and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gotwald in view of Horlander and further in view of Mao. This rejection is respectfully traversed.

As described above, none of Gotwald, Horlander, and Mao disclose the limitations of amended independent claims 1 and 21. Thus, it is clear that claims 1 and 21 are patentable over Gotwald, Horlander, and Mao, whether considered separately or in combination. Claims 13, 14 29, and 30, which depend from independent claims 1 and 21, are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 15 and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gotwald in view of Horlander, and further in view of U.S. Patent No. 6,611,537 ("Edens"). This rejection is respectfully traversed.

As described above, both Gotwald and Horlander fail to disclose the limitations of amended independent claims 1 and 21. Further, Edens fails to supply that which Gotwald and Horlander lack, as evidenced by the fact that the Examiner relies on Edens solely for the purpose of disclosing a central transmission station that dynamically controls which transport packet stream amongst a plurality of transport packet streams is used to carry encapsulated packet data addressed for a decoder (*see* Office Action mailed December 29, 2005, page 12). Thus, it is clear that claims 1 and 21 are patentable over Gotwald, Horlander, and Edens, whether considered separately or in combination. Claims 15 and 31, which depend from claims 1 and 21, are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 16 and 32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gotwald and Horlander, and further in view of U.S. Patent No. 6,314,111 ("Nandikonda"). This rejection is respectfully traversed.

As described above, both Gotwald and Horlander fail to disclose the limitations of amended independent claims 1 and 21. Further, Nandikonda fails to supply that which Gotwald and Horlander lack, as evidenced by the fact that the Examiner relies on Nandikonda solely for the purpose of disclosing a central transmission station that dynamically controls which service amongst a plurality of services is used to broadcast encapsulated packet data addressed for a decoder (*see* Office Action mailed December 29, 2005, pages 12-13). Thus, it is clear that claims 1 and 21 are patentable over Gotwald, Horlander, and Nandikonda, whether considered

separately or in combination. Claims 16 and 32, which depend from claims 1 and 21, are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 26 and 27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gotwald in view of Horlander, and further in view of U.S. Patent No. 6,272,127 ("Golden"). This rejection is respectfully traversed.

As described above, both Gotwald and Horlander fail to disclose the limitations of amended independent claim 21. Further, Golden fails to supply that which Gotwald and Horlander lack, as evidenced by the fact that the Examiner relies on Golden solely for the purpose of disclosing that the address assignment message contains a unique access control address for a unicast address request and a shared control address for a multicast address request (*see* Office Action mailed December 29, 2005, page 13). Thus, it is clear that claim 21 is patentable over Gotwald, Horlander, and Golden, whether considered separately or in combination. Claims 26 and 27, which depend from claim 21, are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345/035001).

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Respectfully submitted,

By_____

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